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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,192	01/21/2004	Kia Silverbrook	RRA17US	2063

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SILVERBROOK RESEARCH PTY LTD
393 DARLING STREET
BALMAIN, NSW 2041
AUSTRALIA

EXAMINER

GOLDBERG, BRIAN J

ART UNIT	PAPER NUMBER
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2861

DATE MAILED: 01/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/760,192

Applicant(s)

SILVERBROOK, KIA

Examiner

Brian Goldberg

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook (US 6318849) in view of Gragg et al. (US 5467118).

3. Regarding claim 1, Silverbrook discloses "an inkjet printer cartridge including: ...one or more printing fluid reservoirs (40, 45, 46 of Fig 4); a printing fluid delivery member (14 of Fig 1 and the portion of 14 shown in Fig 4) defining one or more printing fluid delivery channels (42,43,44,47,48 of Fig 4); and a pagewidth printhead (2 of Fig 1) in fluid communication (12 of Fig 1) with the one or more printing fluid reservoirs (40, 45, 46 of Fig 4) by means of the one or more printing fluid delivery channels (42, 43, 44, 47, 48 of Fig 4)." The printhead (2), by way of 12, is in fluid communication with the reservoirs (40,45,46) by means of channels (42,43,44,47,48). Thus Silverbrook meets the claimed invention except "a collapsible membrane defining one or more printing fluid reservoirs."

4. Gragg et al. disclose "a collapsible membrane defining one or more printing fluid reservoirs (col 5 ln 42-43)." It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to provide a collapsible membrane to define printing fluid reservoirs. One would have been motivated to so modify Silverbrook for

the benefit of the maximization of room within the fluid reservoir for providing a substantially equal volume of ink in each reservoir, as stated by Gragg et al.

5. Regarding claim 2, Silverbrook discloses "an elongate body (the body of 14 of Fig 1) housing the one or more printing fluid reservoirs (40,45,46 of Fig 4)."

6. Regarding claim 3, Silverbrook discloses "wherein the pagewidth printhead (2 of Fig 1) is attached (at 50 of Fig 5) to the elongate body (the body of 14 of Fig 1)."

7. Regarding claim 4, Silverbrook discloses "wherein the printing fluid delivery member (portion of 14 shown in Fig 4) extends the length of the printhead (col 5 In 35-36 and see Fig. 1 where 14 extends the length of 2)."

8. Regarding claim 5, Silverbrook discloses "wherein the pagewidth printhead (2 of Fig 1) is attached to the elongate body (the body of 14 of Fig 1) by means of the printing fluid delivery member (see the portion of 14 shown in Fig 4 and at 50 of Fig 5)." The printhead attaches to the elongate body at printhead slot 50 in the fluid delivery member.

9. Regarding claim 6, Silverbrook discloses "wherein the printing fluid delivery member (portion of 14 shown in Fig 4) defines a plurality of printing fluid delivery channels (42,43,44,47,48 of Fig 4)."

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Goldberg whose telephone number is 571-272-2728. The examiner can normally be reached on Monday through Friday, 9AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Talbott can be reached on 571-272-1934. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BJG

December 27, 2005


Thinh Nguyen
Primary Examiner
Technology Center 2800